

**ADJOURNED JOINT PUBLIC HEARINGS &  
REGULAR MEETING OF  
APRIL 28, 1992**

The meeting was called to order at 10:35 a.m.

Item 1: Roll Call

Present: Members Wolfsheimer, Hartley, Stevens, Behr, Stallings,  
McCarty, Filner and Chair O'Connor  
Excused: Member Roberts  
Secretary: Charles G. Abdelnour

Item 2: Resolutions certifying the Final Environmental Impact Report (EIR) for the City Heights Redevelopment Project, making certain findings regarding the environmental impacts of the proposed Project, adopting a reporting and monitoring program, and adopting a statement of overriding considerations and approving the Report to Council and the Redevelopment Plan.

- and -

Item 3: Joint Public Hearing adjourned from April 21, 1992 to continue consideration of the City Heights Redevelopment Plan.

Keith Scott gave the staff report on the two items, noting his office had received both verbal and written objections, to which responses have been prepared. In accordance with the direction on April 21, staff had provided Members with revised language regarding eminent domain provisions. However, on April 23, 1992 the Planning Commission recommended that the original language be retained, thus requiring the revised language to be approved by the Agency with a minimum of 6 votes. The Project Area Committee (PAC) meeting scheduled for April 23, 1992 did not officially convene.

Member Hartley read into the record Alternative B of the Manager's Report dated April 24, 1992 to insert, on line 4, Section 603, after "redevelopment": "provided, however, that on commercially-zoned parcels with exclusively residential uses on them, not fronting on El Cajon Blvd., University Ave., 40th St., Central Ave., 43rd St., Fairmount Ave., Euclid Ave., 54th St., Poplar St., Home Ave., 47th St., Wabash Ave., Lincoln Ave., and 33rd St., and in residentially-zoned areas, eminent domain shall only be allowed for: 1) public projects, 2) removal of chronic code violations, based upon findings of fact made by the Redevelopment Agency at a noticed public hearing, which findings shall be conclusive, 3) removal of chronic crime problems, based upon findings of fact made by the Redevelopment Agency at a noticed public hearing, which findings shall be conclusive, and 4) preservation of significant cultural and historical resources as determined by the San Diego Historical Sites Board."

Member Hartley moved that the above language be incorporated into the Plan. Member Stallings seconded the motion.

## Items 2 &amp; 3: (continued)

Those speaking in favor of Plan adoption were: Pat Sexton, who favored Alternative B; Linda Bridges Pennington, a former PAC member representing the Lexington Park neighborhood, whose residents oppose any private purpose eminent domain; Valerie Hoffman, a PAC member; Tora Looper, who expressed concern regarding the use of eminent domain in her block of Wabash Ave.; Mary O'Brien; and David Nelson, the PAC Chair, who stated the PAC was anxious to move ahead with the Plan and would accept any reasonable compromise regarding eminent domain. He suggested another alternative which would allow eminent domain in commercial areas on parcels that do not claim a homeowner's exemption.

Those speaking in opposition to the Plan adoption were: Susana Alonso; Lincoln Pickard; Thomas Smith; John Terry Galindo; John Switlik; Maria Feeley; and Dorothy Ross. All speakers opposed private purpose eminent domain, or cited specific neighborhoods such as Belle Isle and Isla Vista, where residents claimed only recently learning that their neighborhoods were included in the redevelopment project area, and wished to be excluded from it.

At 11:54 a.m. the meeting was recessed until 2:00 p.m. to enable attorneys to research several legal issues. Staff was directed to provide Members with written language eliminating private-use eminent domain, for action in the afternoon session.

At 2:27 p.m. Chair O'Connor reconvened the meeting. All Members were present. Deputy City Attorney Allisyn Thomas reported that it would be possible for Members to vote on the Plan adoption, with either Alternative A or B; staff and the Attorney's Office could then be directed to return on May 5 with a resolution excluding certain properties from eminent domain provisions. Any further revisions to the Plan would require returning it to the Planning Commission for approval. However, if adopted today, the Plan could later be amended to address issues of concern.

Member McCarty asked to amend Member Hartley's motion from the morning session, directing the City Heights Development Corporation Board, when formed, to begin the process of removing the Belle Isle, Isla Vista and Kensington-Talmadge neighborhoods from inclusion in the redevelopment plan, at the earliest possible date. Member Hartley concurred with the amendment to his motion, and further directed staff to include in the resolution the exemption of Poplar Avenue.

Member Hartley thanked and commended City staff, the PAC and interested community members for the enormous amount of effort and concern they have shown in bringing this Plan to the adoption stage.

Motion by Hartley to certify the Final Environmental Impact Report; and to approve the Redevelopment Plan, incorporating into the Plan the language in Alternative B; and directing staff to return

Items 2 & 3: (continued)

at a later date with resolutions deleting the Belle Isle, Isla Vista and Kensington-Talmadge neighborhoods from the Plan, and Poplar St. from the use of eminent domain.  
Member Stallings seconded the motion.  
Vote: 9-0

**ADOPTED AS RESOLUTIONS NO. 2068 AND 2069**

Item 4: Resolutions approving Agreements for Cooperation and Mitigation of Potential Fiscal Impacts in the City Heights Redevelopment Project with the San Diego Unified School District, the San Diego Community College District, the County of San Diego, and the San Diego County Office of Education.

Keith Scott reported on the negotiations with the four taxing entities, noting agreement had been reached with the Unified School District and Community College District. City staff is still negotiating with the County of San Diego and County Office of Education.

Motion by Hartley to adopt the resolutions.  
Second by Stallings.  
Vote: 9-0

**ADOPTED AS RESOLUTIONS NO. 2070, 2071, 2072 and 2073**

At 2:49 p.m. the meeting was recessed, and reconvened at 3:30 p.m. with all Members present. Member Stevens moved to approve Items 5, 6, 7, 8, 9 and 11 on the Consent Agenda, and to continue Item 10 to 2 p.m. on Monday, May 4, 1992 at 2 p.m. Member Roberts seconded the motion, which carried unanimously.

Item 5: Approval of the minutes of the April 7, 1992 meeting. -- Approved.

Item 6: Resolution approving the Fourth Implementation Agreement to the Disposition and Development Agreement (DDA) with San Diego Tower Associates; and approving the tenancy of the Museum of Contemporary Art, San Diego as meeting the requirements for a fine arts program for America Plaza in the Columbia Project.

**ADOPTED AS RESOLUTION NO. 2074**

Item 7: Resolution approving the retention of the firms of PaineWebber, Inc. and Grigsby Brandford & Co., Inc. to act as financial advisor and/or underwriter relating to bond issues of the Redevelopment Agency.

**ADOPTED AS RESOLUTION NO. 2075**

Item 8: Resolution approving a second amendment to a contract between the Agency and Ogden Environmental and Energy Services, aka ERC Environmental & Energy Services Co. to increase the total cost by an additional \$15,000;

## Item 8: (continued)

and authorizing the expenditure in an amount to to exceed \$114,110 to complete redraft of an Environmental Impact Statement to an Environmental Assessment document for the Barrio Logan Redevelopment Project.

**ADOPTED AS RESOLUTION NO. 2076**

- Item 9: Resolution approving a Third Amendment with Kane, Ballmer & Berkman in an amount not to exceed \$101,000 for additional legal services for the Barrio Logan and City Heights Redevelopment Projects, and authorizing expenditures not to exceed \$316,000 for this Agreement, as amended; and related issues.

**ADOPTED AS RESOLUTION NO. 2077**

- Item 10: Resolution amending the FY 1992 budgets for the Linda Vista and College Grove Shopping Centers; and related actions.

Continued to Monday, May 4, 1992 at 2 p.m. in the 12th floor Council Chambers.

- Item 11: Resolution approving an Amended Contract with HCH Partners to provide engineering and planning services in the Gateway Center West Project in an amount not to exceed \$40,000.

**ADOPTED AS RESOLUTION NO. 2078**

- Item 12: Resolutions certifying the Final Master Environmental Impact Report for the Centre City Redevelopment Project and Addressing the Centre City Community Plan and Related Documents (MEIR); confirming and establishing design standards for Centre City redevelopment projects; approving the proposed merger and expansion amendments as incorporated in the proposed Redevelopment Plan; and the Report to Council pertaining thereto; and continuing consideration of the Centre City Redevelopment Plan (trailed from April 21, 1992 meeting).

Chair O'Connor left the meeting.

Motion by Roberts to adopt the resolutions.

Second by Behr.

Vote: 7 - 1 (Wolfsheimer voting nay)

**ADOPTED AS RESOLUTIONS NO. 2079, 2080, 2081 and 2082**

- Item 13: Resolutions approving Agreements for Cooperation between the Agency and the County of San Diego, San Diego Unified School District, and the San Diego Community College District; and the San Diego County Office of Education if negotiations can be concluded, regarding the Centre City Redevelopment Project.

Motion by Roberts to adopt the resolutions.

Second by Behr.

Vote: 7-1 (Wolfsheimer voting nay)

Item 13: (continued)

**ADOPTED AS RESOLUTIONS NO. 2083, 2084, 2085 and 2086**

Member McCarty left the meeting.

Motion by Filner to continue Items 14 and 16 to Tuesday, May 12,  
1992 at 4 p.m.  
Second by Behr.  
Vote: 7-0

Motion by Wolfsheimer to continue Item 15 to Tuesday, June 16, 1992  
at 2 p.m.  
Second by Filner.  
Vote: 7-0

- Item 14: Resolution concurring in the outlined Implementation Plan for the eventual rehabilitation and operation of the Balboa Theatre. -- Continued to May 12, 1992.
- Item 15: Resolution approving a Public Improvement Agreement for the sidewalks surrounding the Spreckels Building; and authorizing the Executive Director to sign the Agreement if such Agreement is signed by the property owner and submitted to the Agency. -- Continued to June 16, 1992.
- Item 16: Resolution authorizing the bidding process for the construction and installation of curbs, gutters, sidewalks and other public improvements around the Armed Services YMCA building in the Columbia Project. -- Continued to May 12, 1992.

Public Comment - none.

At 4:45 p.m. the Vice Chair adjourned the meeting to Monday, May 4, 1992 at 2 p.m. in the 12th floor Council Chambers.



Secretary of the Redevelopment Agency  
of the City of San Diego, California